The articles were alleged to be adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, in the following respects: In the case of the Iodia, each fluid dram was represented to contain 1½ grains of iron pyrophosphate; whereas each fluid dram of the article contained less than 1½ grains, namely, not more than 0.13 grain, (1/8th grain) of iron pyrophosphate; and in the case of the Papine, each fluid ounce was represented to contain 1 grain of morphine and 2 1/10 grains of chloral hydrate; whereas each fluid ounce of the article contained less than 1 grain of morphine, samples taken from each of the four shipments having been found to contain not more than 0.81, 0.80, 0.77, and 0.81 grain, respectively, of morphine, and each fluid ounce of the article contained more than 2 1/10 grains of chloral hydrate, samples taken from each of the four shipments having been found to contain not less than 3.36, 3.4, 3.15 and 3.54 grains of chloral hydrate per fluid ounce. Misbranding of the articles was alleged in that the statements, (Iodia) "Each fluid dram also contains * * * 1½ grains iron pyrophosphate", and (Papine) "Morphine, 1 Grain Per Ounce Chloral Hydrate, 2 1–10 Gr. Per Oz." and "Morphine 1 Gr. Per. Oz. Chloral Hydrate 2 1/10 Gr. Per Oz." borne on the labels, were false and misleading since the Iodia contained less than 1½ grains of iron pyrophosphate and the Papine contained less than 1 grain of morphine and more than 2 1/10 grains of chloral hydrate.

Misbranding of the Iodia was alleged for the further reason that certain statements, designs, and devices regarding its therapeutic and curative effects, borne on the bottle labels and wrappers, falsely and fraudulently represented that it was effective as a reconstructive; and useful in the treatment of adenitis, syphilis, rheumatism, and chronic conditions requiring a tonic.

On January 9, 1937, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of $550 and costs.

W. R. GREGG, *Acting Secretary of Agriculture.*

26795. Misbranding of Holford's Famous Inhaler. U. S. v. William J. Fink. Plea of nolo contendere. Fine, $100. (F. & D. no. 37975. Sample no. 52220–B.)

The label of this product and an accompanying circular bore and contained false and fraudulent representations regarding its curative and therapeutic effects.

On September 22, 1936, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against William J. Fink, Minneapolis, Minn., charging shipment by him in violation of the Food and Drugs Act as amended, on or about February 2, 1936, from the State of Minnesota into the State of Pennsylvania of a quantity of Holford's Famous Inhaler that was misbranded.

Analysis of a sample of the article showed that it consisted chiefly of volatile oil of mustard and plant material including lavender flowers and mustard seed.

The article was alleged to be misbranded in that statements regarding its curative and therapeutic effects, borne on the bottle labels and contained in a circular enclosed in the package, falsely and fraudulently represented that it would be effective as a relief for distresses caused by catarrh, headaches, asthma, hay fever, and sinus, and effective to "promote comfort for" irritated membranes of the head, hay fever, asthma, catarrh, headaches, and sinus, running nose, stuffed up nasal passages, headaches caused by eyestrain, nervousness, stomach trouble, or any similar cause, severe headaches caused by inhaling the vapors of gases, cold in lungs, sore throat, constant coughing, fainting spells, sluggishness, tonsillitis, toothaches, neuralgia, and cold sores; effective to clear the head of all obstructions; and effective to bring relief from "distress of troubles which affect the head or throat."

On October 21, 1936, the defendant entered a plea of nolo contendere and the court imposed a fine of $100.

W. R. GREGG, *Acting Secretary of Agriculture.*

26796. Adulteration and misbranding of Heptuna. U. S. v. Hepatin, Inc. Plea of guilty. Fine, $50. (F. & D. no. 37976. Sample no. 41812–B.)

The label of this article bore a false and misleading representation that it contained vitamin B.

On September 24, 1936, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Hepatin, Inc., a croporation, Chicago, Ill.,

charging shipment by said corporation in violation of the Food and Drugs Act, on or about October 21, 1935, from the State of Illinois into the State of Louisiana of a quantity of an article in capsules contained in boxes labeled "Heptuna", which was adulterated and misbranded.

The article was alleged to be adulterated in that its strength and purity fall below the professed standard and quality under which it was sold in that each of said capsules was represented to contain vitamin B, whereas in fact each of the capsules contained no appreciable amount of vitamin B.

The article was alleged to be misbranded in that the statement, "Capsules with Vitamin * * * B", borne on the box labels, was false and misleading, since each of the capsules contained no appreciable amount of vitamin B.

On November 9, 1936, a plea of guilty was entered on behalf of the defendant, and the court imposed a fine of $50.

W. R. GREGG, *Acting Secretary of Agriculture.*

26797. Adulteration and misbranding of fluidextract of belladonna leaves and fluidextract of nux vomica. U. S. v. The Superior Pharmacal Co., Inc. Plea of guilty. Fine, $100. (F. & D. no. 37994. Sample nos. 68304-B, 68306-B.)

This case involved fluidextract of belladonna leaves that contained alcohol in a proportion greater than that represented on the label; and Fluid Extract Nux Vomica U. S. P., which differed from the standard of strength, quality, and purity as prescribed for fluidextract of belladonna in the National Formulary in that it contained an excessive proportion of alkaloids of nux vomica.

On November 12, 1936, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Superior Pharmacal Co., a corporation, Dayton, Ohio, charging shipment by said corporation in violation of the Food and Drugs Act on or about March 24, 1936, from the State of Ohio into the State of Indiana, of a quantity of an article labeled "Fluid Extract Belladonna Leaves", that was adulterated and misbranded, and a quantity of an article labeled "Fluid Extract Nux Vomica U. S. P.", that was adulterated and misbranded.

The fluidextract of belladonna leaves was alleged to be adulterated in that it was sold under and by a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the test laid down in said pharmacopoeia, in that it contained more than 63 percent of alcohol by volume, and the standard of strength, quality, and purity of the article was not declared on the container thereof. Said article was alleged to be adulterated further in that its strength and purity fell below the professed standard and quality under which it was sold, in that it was represented to be fluidextract of belladonna leaves that conformed to the standard laid down in the United States Pharmacopoeia; whereas in fact it was not. Said article was alleged to be misbranded in that the statement "Fluid Extract of Belladonna Leaves U. S. P.", borne on the label, was false and misleading in that it represented that the article was fluidextract of belladonna leaves which conformed to the standard laid down in the United States Pharmacopoeia; whereas in fact it was not. Said article was alleged to be misbranded further in that it contained alcohol and the label on the package failed to bear a plain and conspicuous statement of the quantity or proportion of alcohol contained therein.

The fluidextract of nux vomica was alleged to be adulterated in that it was sold under and by a name recognized in the National Formulary, and differed from the standard of strength, quality, and purity as determined by the test laid down in said formulary in that it yielded more than 2.63 grams of alkaloids of nux vomica per 100 cubic centimeters, and the standard of strength, quality, and purity of the article was not declared on the container thereof. Said article was alleged to be misbranded in that the statement, "Fluid Extract Nux Vomica U. S. P.", borne on the label, was false and misleading in that it represented that the article was fluidextract of nux vomica that conformed to the standard laid down in the United States Pharmacopoeia; whereas in fact the article was not fluidextract of nux vomica that conformed to the standard laid down in said pharmacopoeia.

On November 14, 1936, a plea of guilty was entered on behalf of the defendant corporation and the court imposed a fine of $100.

W. R. GREGG, *Acting Secretary of Agriculture.*